

Attorney Docket No. 18242-507 (VI-7)



# COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

## PRION-BINDING LIGANDS AND METHODS OF USING SAME

the specification of which:

- ☒ was filed on April 5, 2000, as United States non-provisional application No. 09/543,188, bearing Attorney Docket No. 18242-507 (VI-7).
- ☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- ☐ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

[illegible]

- ☐ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<b>Application No.</b> <i>(U.S.S.N.)</i>	<b>Filing Date</b> <i>(dd/mm/yy)</i>	<b>Status</b> <i>(Patented, Pending, Abandoned)</i>

PCT International Applications designative the United States:

<b>PCT Appln No.</b>	<b>US Serial No.</b>	<b>PCT Filing Date</b>	<b>Status</b>

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<b>Attorney or Agent</b>	<b>Registration No.</b>	<b>Attorney or Agent</b>	<b>Registration No.</b>
Kevin Ainsworth	39,586	Kristin E. Konzak	44,848
Ingrid Beattie	42,306	Cynthia Kozakiewicz	42,764
David B. Bernstein	32,112	Barry Marenberg	40,715
David F. Crosby	36,400	William Marino	44,219
James G. Cullum	43,569	Leslie Meyer-Leon	37,381
Brett N. Dorny	35,860	A. Jason Mirabito	28,161
Marianne Downing	42,870	Michel Morency	Limited Recognition
Ivor R. Elrifi	39,529	Bradley Olson	40,750
Heidi A. Erlacher	45,409	Carol H. Peters	45,010
Christina Gadiano	37,628	John T. Prince	43,091
John A. Harre	37,345	Michael Renaud	44,299
Shane Hunter	41,858	Brian Rosenbloom	41,276
David E. Johnson	41,874	Thomas M. Sullivan	39,392
Kris Kalidindi	41,461	Howard Susser	33,556
Christina Karnakis	45,899	Shelby J. Walker	45,192
Robert Klauzinski	42,742	Martin M. Zoltick	35,745

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi at telephone number (617) 348-1747. Address all correspondence to:

Ivor R. Elrifi  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: David J. Hammond

Citizenship: United Kingdom

Residence: United States

Post Office Address: 2 Chester Court, Cortland Manor, NY 10567

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Vite Rose Wiltshire

Citizenship: United States

Residence: United States

Post Office Address: Plainfield, NJ, 07062



Inventor's Signature

Full Name of Inventor: Ruben Carbonell

Citizenship: United States

Residence: United States

Post Office Address: 6105 Godfrey Drive, Raleigh, NC, 27612

8/9/00

Date



Inventor's Signature

Full Name of Inventor: Honglue Shen

Citizenship: China

Residence: United States

Post Office Address: Raleigh, NC, 27612

3111-B4 Hillsborough St.

Raleigh, NC 27607

HS

8/11/2000

Date

**Date of Deposit:** August 30, 2000

**As a below named inventor, I hereby declare that:**

I believe I am an original, first and sole inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

the specification of which:

- ☐ is attached hereto.

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- [illegible]

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I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:


<b>Attorney or Agent</b>	<b>Registration No.</b>	<b>Attorney or Agent</b>	<b>Registration No.</b>
Kevin Ainsworth	39,586	Kristin E. Konzak	44,848
Ingrid Beattie	42,306	Cynthia Kozakiewicz	42,764
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Christina Gadiano	37,628	John T. Prince	43,091
John A. Harre	37,345	Michael Renaud	44,299
Shane Hunter	41,858	Brian Rosenbloom	41,276
David E. Johnson	41,874	Thomas M. Sullivan	39,392
Kris Kalidindi	41,461	Howard Susser	33,556
Christina Karnakis	45,899	Shelby J. Walker	45,192
Robert Klauzinski	42,742	Martin M. Zoltick	35,745

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

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Ivor R. Elrifi  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111

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\_\_\_\_\_  
Inventor's Signature

August 21st, 2000  
Date

Full Name of Inventor: David J. Hammond

Citizenship: United Kingdom

Residence: United States

Post Office Address: 2 Chester Court, Cortland Manor, NY 10567

  
\_\_\_\_\_  
Inventor's Signature

8/28/00  
Date

Full Name of Inventor: Vite Rose Wiltshire

Citizenship: United States

Residence: United States

Post Office Address: Plainfield, NJ, 07062

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Ruben Carbonell

Citizenship: United States

Residence: United States

Post Office Address: 6105 Godfrey Drive, Raleigh, NC, 27612

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Honglue Shen

Citizenship: China

Residence: United States

Post Office Address: Raleigh, NC, 27612

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Express Mail Label No.:  
Date of Deposit:

PATENT APPLICATION  
Attorney Docket No. 18242-507 (VI-7)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Hammond, et al.

SERIAL NUMBER : 09/543,188

EXAMINER : Not Yet Assigned

FILING DATE : April 5, 2000

ART UNIT : 1643

FOR : PRION-BINDING LIGANDS AND METHODS OF USING SAME

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))--NONPROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

**North Carolina State University  
Raleigh, North Carolina, 27607**

I hereby state that the above identified nonprofit organization qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e)(1), as a University or Other Institution of Higher Education, for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above;
- ☒ the application identified above; or
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to, and remain with, the nonprofit organization, with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c), if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e)

Each person, concern, or organization having any rights in the invention is listed below:


- ☒ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below: ∞

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. 37 CFR 1.28(b).

Applicant: Hammond, et al.  
U.S.S.N. 09/543,188

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:	<u>W. MARK CROWELL</u>	<u>ASSOCIATE VICE CHANCELLOR</u>
Title in Organization:	<u>OFFICE OF TECHNOLOGY TRANSFER</u>	<u>FOR TECHNOLOGY TRANSFER</u>
Address of Person Signing:	<u>AND INDUSTRY RESEARCH</u>	<u>&amp; INDUSTRY RESEARCH</u>
	<u>NORTH CAROLINA STATE UNIVERSITY</u>	
	<u>BOX 7003</u>	
	<u>RALEIGH, N.C. 27695-7003</u>	

Signature:  Date: 7/26/00

TRADOCS:1350269.1(SXVH01!.DOC)

Express Mail Label No.: EL585245739US

Date of Deposit: August 30, 2000

PATENT APPLICATION

Attorney Docket No. 18242-507 (VI-7)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Hammond, et al.  
SERIAL NUMBER : 09/543,188 EXAMINER : Not Yet Assigned  
FILING DATE : April 5, 2000 ART UNIT : 1643  
TITLE : PRION-BINDING LIGANDS AND METHODS OF USING SAME



STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))--SMALL BUSINESS CONCERN

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

V.I. Technologies, Inc.  
155 Duryea Road  
Melville, NY 11747

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in the specification filed herewith, with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each such person, concern or organization having any rights in the invention is listed below:

☒  
☐

no such person, concern, or organization exists  
each such person, concern, or organization is listed below

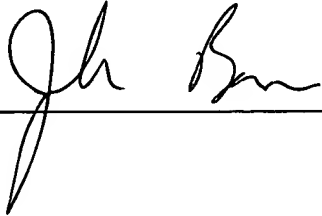
Applicant: Hammond, et al.  
U.S.S.N. 09/543,188

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

John Barr  
President  
V.I. Technologies, Inc.  
155 Duryea Road  
Melville, NY 11747

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

8/21/00

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